

MEMO ENDORSED

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By Hand

Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Valerie Shore v. PaineWebber Long-Term Disability Plan
No. 04 Civ. 4152 (DC) *KMK*

Dear Judge Karas:

We are the attorneys for the plaintiff in the referenced ERISA long term disability benefits action. The parties' cross-motions for summary judgment are due today. We write to request leave to file a memorandum of law of 36 pages in support of plaintiff's motion. The length of the memorandum is dictated by several factors: the length of the administrative record¹ has necessitated a 15 page recitation of facts and discussion of the administrative process; 5 pages are devoted to defendant's statute of limitations defense; and 14 pages are devoted to other legal argument.

For the foregoing reasons, plaintiff respectfully requests permission to file a memorandum of law of 36 pages.

Thank you for your Honor's attention to and consideration of this matter.

Respectfully submitted,
Rosen Preminger & Bloom LLP

By: *[Signature]*
David S. Preminger

The request is granted however, counsel are on notice that the motion is equally unlikely and will not be granted again if made by same counsel.
SO ORDERED
[Signature]
KENNETH M. KARAS U.S.D.J.
1/11/05

cc. Heather J. Holloway, Esq. by facsimile

¹ The administrative record will be filed in paper format with the clerk rather than in pdf format because of its length.